



Montana Department of  
**ENVIRONMENTAL QUALITY**

P. O. Box 200901

Helena, MT 59620-0901

(406) 444-2555

**RECEIVED**

NOV 07 2014  
Steve Bullock, Governor  
Tracy Stone-Manning, Director

LEGISLATIVE ENVIRONMENTAL  
POLICY OFFICE

**PUBLIC NOTICE NO. MT-14-36**  
**November 10, 2014**

PURPOSE OF PUBLIC NOTICE

The purpose of this notice is to state the Department's intention to issue a wastewater discharge permit to the facility listed in this notice. This permit is issued by the Department under the authority of 75-5-402, Montana Code Annotated (MCA); the Administrative Rules of Montana (ARM) 17.30.1301 *et seq.*, Montana Pollutant Discharge Elimination System (MPDES); and Sections 402 and 303 of the Federal Clean Water Act. The Water Protection Bureau has prepared a draft permit for the facility listed below. Copies of the draft permit, statement of basis, and environmental assessment are available upon request from the Water Protection Bureau or on the Department's website [www.deq.mt.gov](http://www.deq.mt.gov).

APPLICANT INFORMATION

APPLICANT: Imerys Talc America, Inc.  
28769 Sappington Road  
Three Forks, MT 59752

PO Box 130  
Cameron, MT 59720

FACILITY NAME: Beaverhead Mine

FACILITY LOCATION: Township 7 South, Range 6 West, East ½ Section 14

RECEIVING WATER: Outfall 001: unnamed tributary to Middle Fork Stone Creek

PERMIT NUMBER: MT0027821

This permitting action is the renewal of an existing MPDES permit for discharge from the Beaverhead Mine. The Beaverhead Mine was historically a talc mine which ceased operations in March 1999 and has undergone post-closure reclamation stabilization. Seepage from past operations continues to require treatment.

Seepage from the mine and seepage and run-off from the reclaimed Middle Dump are routed to two sedimentation ponds in series prior to discharge through Outfall 001 to an unnamed tributary to the Middle Fork Stone Creek. Downstream from the mine, Stone Creek was

listed on the 303(d) list as impaired for sedimentation/siltation and turbidity, with an approved Total Maximum Daily Load (TMDL). The TMDL included a cap of 1,400 lb/year for total suspended solids (TSS) from the Beaverhead Mine. In addition, Stone Creek is listed as impaired for nitrate and the mine is subject to the newly established Circulars DEQ-12A and 12B (Montana Base Numeric Nutrient Standards and the Nutrient Standard Variances). Beaverhead Mine will be capped at current performance for total nitrogen.

On September 21, 2000, a U.S. District Judge issued an order stating that until all necessary total maximum daily loads under Section 303(d) of the Clean Water Act are established for a particular water quality limited segment, the State is not to issue any new permits or increase permitted discharges under the MPDES program. The order was issued in the lawsuit *Friends of the Wild Swan v. U.S. EPA, et al.*, CA 97-35-M-DWM, District of Montana, Missoula Division. The DEQ finds that the issuance of this proposed permit does not conflict with the order because the renewal is not for a new or increased source.

#### PUBLIC COMMENT

Public comments are invited ANYTIME PRIOR TO CLOSE OF BUSINESS December 10, 2014. Comments may be directed to the DEQ Permitting & Compliance Division, Water Protection Bureau, PO Box 200901, Helena, MT 59620. All comments received or postmarked PRIOR TO CLOSE OF BUSINESS December 10, 2014 will be considered in the formulation of final determinations to be imposed on the permits. If you wish to comment electronically, you may e-mail Barb Sharpe at [bsharpe@mt.gov](mailto:bsharpe@mt.gov).

During the public comment period provided by the notice, the Department will accept requests for a public hearing. A request for a public hearing must be in writing and must state the nature of the issue proposed to be raised in the hearing (ARM 17.30.1373).

The Department will respond to all substantive comments and issue a final decision within sixty days of this notice or as soon as possible thereafter. Additional information may be obtained upon request by calling (406) 444-3080 or by writing to the aforementioned address. The complete administrative record, including permit application and other pertinent information, is maintained at the Water Protection Bureau office in Helena and is available for review during business hours.

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